

Remarks/Arguments

This Response is considered fully responsive to the Decision on Appeal dated July 2, 2009. Claims 1-10, 12 and 14 were pending in the application and stand rejected. Claims 1 and 7 have been amended herein, no claims have been canceled, and claims 15-22 have been added. Support for the amendments to claims 1 and 7 as well as new claims 15-22 can be found throughout the originally-filed application. For claims 1 and 7, for example, see Figure 9 and page 68, line 28 through page 69, line 15. For new claims 15 and 16, for example, see Figure 9 and page 61, line 6 through page 62, line 2. For new claim 17, for example, see page 57, line 22 through page 58, line 16. For new claims 18-22, for example, see page 14, line 22 through page 15, line 22. Claims 1-10, 12, and 14-22 are now pending. No new matter has been added. Reexamination and reconsideration are respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 1-10, 12 and 14 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over David Hollingsworth, *Workflow Management Coalition, The Workflow Reference Model*, Document Number TC00-1003, 1-55, 1995 (hereinafter “Hollingsworth”); in view of US Patent No. 5,907,837 to Ferrel (hereinafter “Ferrel”) and further in view of US Patent No. 6,628,824 to Belanger (hereinafter “Belanger”).

Applicant has amended independent claims 1 and 7, from which claims 2-6, 8-10, 12 and 14 depend, to recite, *inter alia*, that “at least one of said plurality of function portions comprising a user-defined custom definition function portion associated with said project definition.”

In contrast, none of Hollingsworth, Ferrel, nor Belanger disclose, teach, or suggest “at least one of said plurality of function portions comprising a user-defined custom definition function portion associated with said project definition.” Hollingsworth merely states that, “[w]orkflow has been closely associated with image systems and many image systems have workflow capability either built-in or supplied in conjunction with a specific workflow product.” See Hollingsworth at § 2.2.1. Ferrel merely teaches that, “[a]n image editor 192 [can be used] to create and modify sound, image, video, animation and other content objects.” See col. 10,

lines 42-45. Belanger fails to teach or suggest any editing of images and thus fails to remedy the deficiencies of Hollingsworth and Ferrel.

Thus, the combination of Hollingsworth, Ferrel, and Belanger fails to teach or suggest at least “at least one of said plurality of function portions comprising a user-defined custom definition function portion associated with said project definition” and thus claims 1-10, 12, and 14 are not obvious over the combination of Hollingsworth, Ferrel, and Belanger. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-10, 12, and 14 and allow claims 1-10, 12, and 14.

New claims 15-18 depend from claim 1 and are believed to be patentable for at least the same reasons as described above with respect to claim 1. Applicant further believes that new claims 15-18 further introduce new limitations that distinguish the claims from Hollingsworth, Ferrel, and Belanger. Accordingly, Applicant respectfully requests that the Examiner allow new claims 15-18.

New claims 18, 19, and 21, from which new claims 20 and 22 depend, recite, *inter alia*, “wherein said project definition is configured to process image data corresponding to a plurality of images to adjust characteristics of said images so as to bring them into general conformity with each other.”

In contrast, none of Hollingsworth, Ferrel, nor Belanger disclose, teach, or suggest “wherein said project definition is configured to process image data corresponding to a plurality of images to adjust characteristics of said images so as to bring them into general conformity with each other.” Hollingsworth merely states that, “[w]orkflow has been closely associated with image systems and many image systems have workflow capability either built-in or supplied in conjunction with a specific workflow product.” See Hollingsworth at § 2.2.1. Ferrel merely teaches that, “[a]n image editor 192 [can be used] to create and modify sound, image, video, animation and other content objects.” See col. 10, lines 42-45. Belanger fails to teach or suggest any editing of images and thus fails to remedy the deficiencies of Hollingsworth and Ferrel.

Thus, the combination of Hollingsworth, Ferrel, and Belanger fails to teach or suggest at least “wherein said project definition is configured to process image data corresponding to a

plurality of images to adjust characteristics of said images so as to bring them into general conformity with each other.” and thus claims 18-22 are not obvious over the combination of Hollingsworth, Ferrel, and Belanger. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 18-22 and allow claims 18-22.

Request for Continued Examination

This Amendment is being filed with a request for continued examination. The required fee is being electronically submitted herewith. Applicant is also submitting the fee for one additional independent claim. Applicant believes no other fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 50-3199 as necessary.

Conclusion

Applicant has fully responded to each and every objection and rejection in the Decision on Appeal issued July 2, 2009 and believes that claims 1-10, 12 and 14-22 are in a condition for allowance. Therefore, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

If the Office believes any issues could be resolved via a telephone interview, the Office is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted this 2nd day of September 2009.

/Thomas J. Osborne, Jr./

Thomas J. Osborne, Jr.
Registration No. 39,796
Customer No. 45346

HENSLEY KIM & HOLZER, LLC
1660 Lincoln Street
Denver, Colorado 80264
720-377-0758 (TEL)
720-377-0779 (FAX)